

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 10. The Illinois Controlled Substances Act is
5 amended by adding Section 414 as follows:

6 (720 ILCS 570/414 new)

7 Sec. 414. Overdose; immunity from prosecution. A person who
8 calls the 911 emergency number to report an overdose of a
9 controlled, counterfeit, or look-alike substance or a
10 controlled substance analog and the person who overdosed are
11 immune from criminal liability for a violation of Section 401,
12 402 or Section 404 of this Act relating to the possession or
13 delivery of a controlled, counterfeit, or look-alike substance
14 or a controlled substance analog. This immunity shall not be
15 extended if law enforcement has reasonable suspicion or
16 probable cause, prior to or independent of the emergency 911
17 call, to detain, arrest, or search the person or property of
18 the person who calls 911 or the person who overdosed that is
19 not a direct result of the 911 call. For the purposes of this
20 Section, "overdose" means a controlled substance-induced
21 physiological event that results in a life-threatening
22 emergency to the individual who ingested, inhaled, injected, or
23 otherwise bodily absorbed a controlled, counterfeit, or

1 look-alike substance or a controlled substance analog.

2 Section 15. The Methamphetamine Control and Community
3 Protection Act is amended by adding Section 115 as follows:

4 (720 ILCS 646/115 new)

5 Sec. 115. Overdose; immunity from prosecution. A person who
6 calls the 911 emergency number to report an overdose of
7 methamphetamine or a substance containing methamphetamine and
8 the person who overdosed are immune from criminal liability for
9 a violation of Section 55 or 60 of this Act relating to the
10 possession or delivery of methamphetamine or a substance
11 containing methamphetamine. This immunity shall not be
12 extended if law enforcement has reasonable suspicion or
13 probable cause, prior to or independent of the emergency 911
14 call, to detain, arrest, or search the person or property of
15 the person who calls 911 or the person who overdosed that is
16 not a direct result of the emergency 911 call. For the purposes
17 of this Section, "overdose" means a methamphetamine-induced
18 physiological event that results in a life-threatening
19 emergency to the individual who ingested, inhaled, injected, or
20 otherwise bodily absorbed methamphetamine.